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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,252	04/26/2001	John M. Siegel JR.	99-1054.02/US	7354

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EXAMINER
OYEBISI, OJO O

ART UNIT	PAPER NUMBER
3628	

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/843,252	SIEGEL ET AL.
	Examiner	Art Unit	
	OJO O. OYEBISI	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 May 2004_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _23-56_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _23-56_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _26 April 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

2.   Claims 23-26, 28-34, and 36-56 are rejected under 35 U.S.C. 102(e) as being

anticipated by Robinson (US PAT: 6,484,152).

Re claim 23. Robinson discloses an equity analysis system, comprising: memory for

storing a first plurality of equity parameter values respectively associated with different

equities and for storing a second plurality of equity parameter values respectively

associated with said equities (i.e., secondary storage, see col.2 lines 50-55, also see

col.5 lines 62-66); and a server system configured to rank said first plurality of equity

parameter values with respect to each other (see fig.3b and 3c), thereby forming a first

set of rankings for said first plurality of equity parameter values (see fig.3h), said server

system configured to rank said second plurality of equity parameter values with respect to

each other, thereby forming a second set of rankings for said second plurality of equity

parameter values, said server system further configured to rank said equities with respect

to each other based on said first and second sets of rankings (see fig.3c, see fig.3h, also

see fig.3j).

Re claim 24. Robinson further discloses the equity analysis system of claim 23, wherein said server system is configured to assign a first value to one of said equities based on a rank associated with said one equity within said first set of rankings and to assign a second value to said one equity based on a rank associated with said one equity within said second set of rankings (see fig.3c and 3j), wherein said server system is configured to mathematically combine said first and second values to form a score for said one equity, and wherein said server system, in ranking said equities, is configured to compare said score with scores assigned to others of said equities (see fig.3k).

Re claim 25. Robinson further the equity analysis system of claim 23, wherein said server system is configured to display data indicative of at least one equity rank determined by said server system (see col.5 lines 4-9).

Re claim 26. Robinson further the equity analysis system of claim 23, wherein said server system is configured to filter said equities based on a user input and to display data identifying each unfiltered equity and its rank as determined by said server system (see fig.3b).

Re claim 28. Robinson further the equity analysis system of claim 23, wherein said server system is configured to select an equity based on a user input and to provide at least one equity parameter value associated with said selected equity (i.e., once the user's requirement and characteristic have been entered,

see col.5 lines 60-63) said server system further configured to perform

comparisons between said first set of rankings and a rank associated with said

one equity parameter value, wherein said server system is further configured to

utilize said comparisons in order to rank said equities with respect to each other

(i.e., calculating the objective function and comparing price with valuation for

each individual factor, see col.8 lines 1-15).

Re claim 29. Robinson further discloses the equity analysis system of claim 23,

wherein said server system is configured to respectively associate a numerical

value with each of said equities based on said first set of rankings and to

respectively associate a numerical value with each of said equities based on said

second set of rankings (see fig.3c, 3h and 3j), wherein said server system is

configured to mathematically combine said numerical values to form a plurality of

scores respectively associated with said equities, and wherein said server

system is further configured to compare said scores in order to rank said equities

(i.e., weighted sum, see col.8 lines 10-30, also see col.7 lines 59-65).

Re claim 30. Robinson further the equity analysis system of claim 29, wherein

said server system is configured to apply a first weight to each said numerical

value that is associated with said equities based on said first set of rankings and

to apply a second weight to each said numerical value that is associated with

said equities based on said second set of rankings, and wherein said first weight

is different than said second weight (see col.9 lines 10-40).

Re claim 31. Robinson further discloses the equity analysis system of claim 30, wherein said server system is configured to enable a user to select said first and second weights (see col.7 lines 10-40).

Re claim 32. Robinson further discloses an equity analysis system, comprising: memory for storing equity parameter values associated with a plurality of equities (i.e., secondary storage, see col.2 lines 50-55, also see col.5 lines 62-66); and a server system configured to rank a first plurality of said equity parameter values and to rank a second plurality of said equity parameter values (see fig.3b and 3c), each value within said first plurality indicative of a first parameter for a different one of said equities and each value within said second plurality indicative of a second parameter for a different one of said equities (see fig.3h), said server system configured to provide scores for said equities based on a result of ranking said first plurality and based on a result of ranking said second plurality (see fig.3h and 3j), said server system further configured to perform comparisons of said scores and to rank said equities based on said comparisons (i.e., calculating the objective function by comparing the price with valuation of each individual factor, see col.8 lines 1-15).

Re claim 33. Robinson further discloses the equity analysis system of claim 32, wherein said server system is configured to enable a user to select a range for said first plurality of values, said server system further configured to filter at

least one equity having an equity parameter value indicative of said first

parameter outside of said range (i.e., filtering by one value line ranking after

another, narrowing down stocks finally to the small set, see fig.3b).

Re claim 34. Robinson further discloses equity analysis system of claim 32,

wherein said server system is configured to filter said equities (i.e., filtering by

one value line ranking after another, narrowing down stocks finally to the small

set, see fig.3b) based on a user input and to display data identifying each

unfiltered equity and its rank as determined by said server system (see col.5

lines 1-10).

Re claim 36. Robinson further discloses the equity analysis system of claim 32,

wherein said server system is configured to enable a user to select at least one

equity based on a user input and to provide at least one equity parameter value

associated with said selected equity, said one equity parameter value indicative

of said first parameter for said selected equity (see col.5 lines 37-52), wherein

said server system is further configured to perform a second set of comparisons

between a rank associated with said one equity parameter value and ranks

derived by ranking said first plurality of equity parameter values, and wherein

said scores are based said second set of comparisons (i.e., calculating the

objective function by comparing the price with valuation of each individual factor,

see col.8 lines 1-15).

Re claim 37. Robinson further discloses equity analysis system of claim 32, wherein said server system is configured to assign a third plurality of values to said equities based on said result of ranking said first plurality and to assign a fourth plurality of values to said equities based on said result of ranking said second plurality (see fig.3c, 3h and 3j), and wherein said server system is configured to determine said scores by mathematically combining said third plurality of values with said fourth plurality of values (i.e., weighted sum, see col.8 lines 10-30, also see col.7 lines 59-65).

Re claim 38. Robinson further discloses the equity analysis system of claim 37, wherein said server system is configured to apply a first weight to each of said third plurality of values and to apply a second weight to each of said fourth plurality of values, said first weight different than said second weight (see col.7 lines 45-64)

Re claim 39. Robinson further discloses the equity analysis system of claim 38, wherein said server is system is configured to enable a user to select said first and second weights (see col.7 lines 45-64).

Re claim 40. Robinson further discloses an equity analysis method, comprising the steps of providing a first plurality of equity parameter values respectively associated with different equities (see fig.3c); providing a second

plurality of equity parameter values respectively associated with said equities

(see fig.3c); ranking said first plurality of equity parameter values with respect

to each other: ranking said second plurality of equity parameter values with

respect to each other; and ranking said equities with respect to each other

based on said ranking said first plurality step and said ranking said second

plurality step (see fig.3b, 3c, 3h and 3j).

Re claim 41. Robinson further discloses the method of claim 40, further comprising the

steps of assigning a first value to one of said equities based on a rank determined in

said ranking said first plurality step (see the rank and valuation table col.6 lines 1-25);

and assigning a second value to said one equity based on a rank determined in said

ranking said second plurality step (see the rank and valuation table col.6 lines 1-25),

wherein said ranking said equities step includes the step of mathematically combining

said first and second values (i.e., weighted sum, see col.8 lines 10-16).

Re claim 42. Robinson further discloses the method of claim 40, further

comprising the step of displaying each rank determined in said ranking said

equities step (see col.5 lines 1-10).

Re claim 43. Robinson further discloses the method of claim 40, further

comprising the steps of filtering said equities (i.e., filtering by one value line

ranking after another, narrowing down stocks finally to the small set, see fig.3b);

and displaying data identifying each unfiltered equity and its rank determined in

said ranking said equity step (see col.5 lines 1-10).

Re claim 44. Robinson further discloses the method of claim 40, further

comprising the steps of: displaying each rank determined in said ranking said

first plurality of equity parameter values step; and displaying each rank

determined in said ranking said second plurality of equity parameter values step

(see col.5 lines 1-10).

Re claim 45. Robinson further discloses the method of claim 40, further comprising

the steps of selecting an equity based on user input (see col.5 lines 37-55, also see the

abstract); providing at least one equity parameter value associated with said selected

equity (see fig.3c); comparing a rank associated with said one equity parameter value to

ranks formed via said ranking said first plurality step (i.e., calculating the objective

function by comparing the price with valuation of each individual factor, see col.8 lines 1-

15), wherein said ranking said equities step is further based on said comparing step

(see fig.3c, 3j and 3j).

Re claim 46. Claim 46 recites similar limitations to claim 29 and thus rejected using the

same art and rationale in the rejection of claim 29.

Re claim 47. Claim 47 recites similar limitations to claim 30 and thus rejected using the

same art and rationale in the rejection of claim 30.

Re claim 48. Claim 48 recites similar limitations to claim 31 and thus rejected using the same art and rationale in the rejection of claim 31.

Re claim 49. Claim 49 recites similar limitations to claim 32 and thus rejected using the same art and rationale in the rejection of claim 32.

Re claim 50. Claim 50 recites similar limitations to claim 33 and thus rejected using the same art and rationale in the rejection of claim 33.

Re claim 51. Claim 51 recites similar limitations to claim 34 and thus rejected using the same art and rationale in the rejection of claim 34.

Re claim 52. Claim 52 recites similar limitations to claim 44 and thus rejected using the same art and rationale in the rejection of claim 44.

Re claim 53. Claim 53 recites similar limitations to claim 45 and thus rejected using the same art and rationale in the rejection of claim 45.

Re claim 54. (New) The method of claim 49, further comprising the steps of assigning a third plurality of values to said equities based on said ranking a first plurality step (see rank and valuation table, col.6 lines 1-25); assigning a fourth plurality of values to said equities based on said ranking a second plurality step (see rank and valuation table col.6 lines 1-25); mathematically combining said third plurality of values

with said fourth plurality of values; and determining said scores based on said

combining step (i.e., weighted sum, see col.8 lines 10-16).

Re claim 55. Claim 46 recites similar limitations to claim 30 and thus rejected using the

same art and rationale in the rejection of claim 30.

Re claim 56. Claim 56 recites similar limitations to claim 31 and thus rejected using the

same art and rationale in the rejection of claim 31.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 27 and 35 are rejected under 35 U.S.C. 103(a) as being obvious over

Robinson.

Re claims 27 and 35. Robinson discloses the equity analysis system of

claim 23, wherein said server system is configured to display data

indicative of said first and second sets of rankings (see col.5 lines 4-9).

Robinson does not explicitly disclose that this data is displayed

graphically. However, graphical representation of data is old and well

known in the art. For example, software programs such as Excel and

SPSS can be used to graphically display data. Thus it would have been

obvious to one of ordinary skill in the art to configure Robinson to utilize
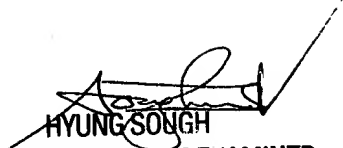
software programs to graphically display data.

Conclusion

The following prior art, cited but not relied upon, are

found to be pertinent to the present application: Barr et al (us pat

5,761,442) discloses a data processing system and method for

selecting securities and constructing an investment portfolio.

O'Shaghnessy (US PAT: 5,978,778) discloses a computer system to

select corporate stocks for investment. Lastly, Consumers' Research

Magazine, Oct 1993; 76, 10; Research Library discloses methods of

ranking mutual funds.

Any inquiry concerning this communication or earlier

communications from the examiner should be directed to OJO O.

OYEBISI whose telephone number is (571) 272-8298. The examiner can

normally be reached on 8:30A.M-5:30P.M. If attempts to reach the

examiner by telephone are unsuccessful, the examiner's supervisor,

HYUNG S. SOUGH can be reached on (571)272-6799. The fax phone

number for the organization where this application or proceeding is

assigned is 571-273-8300. Information regarding the status of an

application may be obtained from the Patent Application Information

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may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR

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PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free).

HYUNG SOUGH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

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